November 17, 2023

Via Electronic Filing

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Attn: Wireless Telecommunications Bureau

Waiver – Expedited Action Requested

Re: Request for Waiver of Section 97.111(a) of the Commission's Rules to Permit Demonstration of Amateur-Military Cross-Band Capabilities During Amateur-Military Commemoration of Pearl Harbor Day

Dear Ms. Dortch:

Pursuant to Section 1.3[1] and 1.925[2] of the Commission's rules, the American Radio Relay League ("ARRL") requests a waiver of the Part 97 rules to enable cross-band communications with a station or stations authorized to use Federal Government frequencies for the purpose of a short-term event commemorating the Pearl Harbor attack.

Attached to this request is correspondence demonstrating that authorization for the Federal-side frequencies has been issued This waiver request is identical to that filed and granted last year, other than the requested dates this year are December 6-9, 2023.

Specifically, in Section 97.111(a) the Commission authorizes communications among and between amateur stations and provides circumstances under which amateur stations may be used to communicate with non-amateur stations. Section 97.111(a)(5) permits amateur stations to be used to communicate with "a station in a service not regulated by the FCC, but authorized by the FCC to communicate with amateur stations." The provision further provides specific authority for amateur stations to communicate with "a participating United States military station", but only "during an Armed Forces Day Communications Test."[3]

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[1] 47 C.F.R. §1.3.
[2] 47 C.F.R. §1.925.
[3] 47 C.F.R. § 97.111(a).

Tests such as those proposed provide opportunities to train operators and test two-way communications capabilities between military communicators and radio stations in the Amateur Radio Service. Such tests challenge the operators to demonstrate individual technical skills in a controlled exercise scenario.

The frequencies and time periods selected will not impact any public or private communications, government or non-government. As already authorized on the Federal side, the military stations will transmit on 14.375, 18.162.5, and 21.856 MHz on December 6 through December 9, 2023. On the Amateur Radio side, operators will respond solely on frequencies being monitored and announced by the military operators, all of which will be frequencies authorized for use by Amateur Radio operators and on which all related FCC regulations will continue to apply, such as mode, maximum power, and license class.

Principal contact for the military authorization is: James D. Hunt, III, Head, Navy and Marine Corps Spectrum Office Southwest and DON Frequency Assignment Committee (IRAC FAS) Alternate Member, james.d.hunt30.civ [at] us.navy.mil, 619-545-9978/9889. A copy of the authorization and related communications are attached.

This request for waiver is solely for waiver of Section 97.111(a) to the extent required to permit amateur operators, consistent with their existing amateur operator privileges, to respond within amateur frequencies to the out-of-band military stations open for cross-band traffic during this two-day period.

Thank you for your consideration.

Respectfully Submitted,

David R. Siddall
Washington Counsel
The American Radio Relay League
DS LAW PLLC
1629 K St NW Ste 300
Washington, DC 20006-1631
david [at] davidsiddall-law-com
(202) 559-4690

From: james.d.hunt30.civ [at] us.navy.mil
To: w6hb [at] aol.com
Cc: bryan.t.encinas.mil [at] us.navy.mil, derrick.j.poe.civ [at] us.navy.mil
Sent: 10/23/23 10:10:20 Pacific Daylight Time
Subject: Temporary Frequency Authorization for Pearl Harbor Day Cross Banding Event
Doug;
As discussed, attached are your temporary frequency assignments to support cross banding operations for Pearl Harbor Remembrance Day 2023. Our office is pleased to be able to support this important event again this year. As you know our NMCSO Southwest office has been supporting cross band operations in the past when requested. Last year it came to our attention that CFR 97.111 only authorizes this support during the DoD sponsored Armed Forces Day communications test. Prior to last year It was our understanding that we could support all "bi-lateral" events, including Armed Forces Day and Pearl Harbor Remembrance Day among others. You were able to obtain an FCC waiver for last year's event and our office highly recommends approval of a waiver again this year and also a permanent waiver to allow your participation in this event without having to submit a temporary waiver each year.
Standing by to assist in this matter in any way we can.
Best regards!

Jim Hunt

James D. Hunt III, GS-13
RMCS(SW)/CWO3(7191) RET
Head, Navy and Marine Corps Spectrum Office Southwest
DON Frequency Assignment Subcommittee (FAS) Alternate Member
DON US/MEXICO Coordination Committee (AdHoc 170) Primary Member
NIPR: james.d.hunt30.civ [at] us.navy.mil
SIPR: james.d.hunt2 [at] navy.smil.mil
NIPR Collective: NMSC-N31_NMCSO_SOUTHWEST_DIVISION [at] US.NAVY.MIL
SIPR Collective: NCTS_SDNI_NMCSO_SOUTHWEST [at] NAVY.SMIL.MIL
FACEBOOK https://www.facebook.com/NAVMARSPECCEN
(Work) 619-545-9978/9889
DSN 312-735-9978/9889

From: Doug Dowds <w6hb@aol.com>
Sent: Tuesday, October 24, 2023 8:58 PM
Subject: Fwd: [Non-DoD Source] Re: Temporary Frequency Authorization for Pearl Harbor Day Cross Banding Event

Additional clarification -- freqs have been authorized 12/6 through 12/9/23.

73 - Doug Dowds -- W6HB & E51DLD

E-mail -- w6hb@aol.com
Phone & message center -- 424-536-3570
Battleship Iowa Amateur Radio Association (BIARA) -- President / Founder / Life Member

From: james.d.hunt30.civ@us.navy.mil
To: w6hb@aol.com
Sent: 10/24/23 07:50:03 Pacific Daylight Time
Subject: RE: [Non-DoD Source] Re: Temporary Frequency Authorization for Pearl Harbor Day Cross Banding Event
Doug,

Yes, the start date is 12/06/23.

DoD uses the Frequency Resource Records System (FRRS) database. NTIA uses the Government Master File (GMF) database. For some reason when FRRS assignment records are converted to GMF format (which is what I sent you), the required (or start) date does not transfer.

V/R, Jim H.

From: Doug Dowds <w6hb@aol.com>
Sent: Monday, October 23, 2023 8:47 PM
To: Hunt, James D III CIV USN NAVMARSPECCN FTM MD (USA) <james.d.hunt30.civ@us.navy.mil>
Subject: [Non-DoD Source] Re: Temporary Frequency Authorization for Pearl Harbor Day Cross Banding Event

It looks like 12/09/23 is the end date of the authorization -- please confirm start date as it was verbalized as 12/06/23.

73 - Doug Dowds -- W6HB & E51DLD

E-mail -- w6hb@aol.com
Phone & message center -- 424-536-3570
Battleship Iowa Amateur Radio Association (BIARA) -- President / Founder / Life Member
United Radio Amateur Club (URAC) -- Life Member / Multi-term Past President
Southern California DX Club (SCDXC) -- Past President
QCWA Chapter 7 -- President
ARRL - Life Member
10-10 - Life Member
YLISSB - Life Member
Hurricane Watch Net - NCS
W5YI and NRE – VE

Government Master File (GMF) Info (1)

SER01 NSW 238001
TYP01 N
CLA01 U
FOI01 X
ACN01 JDH
EXD01 231209
BUR01 USN
MFI01 DOMESTIC SUPPORT OPERATIONS
IFI01 COMMUNITY ASSISTANCE
NTS01 C002
NTS02 P032
FRQ01 K14375
STC01 MS
EMS01 3K00J3E
PWR01 W500
STC02 MS
EMS02 100H00A1A
PWR02 W100
TME01 3HX
XSC01 CA
XAL01 LOS ANGELES
XLA01 334419N
XLG01 1181623W
XRD01 20B
XAG01 5
XAT01 WHIP
XAZ01 ND
XAP01 V
XEQ01 C,ICOMIC7300
NTT01 10
NAM01 NET
RSC01 CA
RAL01 LOS ANGELES
RLA01 334419N
RLG01 1181623W
RRC01 I,DOD-S
RAG01 5
RAT01 WHIP
RAZ01 ND
RAP01 V
REQ01 C,ICOMIC7300
NOT01 M018,N ,230908,HEATON,WAFC,23-946
POC01 DOUG DOWDS,4245363570,230906
SUP01 FREQUENCY IAW NTIA MANUAL SECTION 7.15.2 PARAGRAPH 3.
SUP02 BATTLESHIP IOWA AMATEUR RADIO ASSOCIATION (BIARA)
SUP03 PEARL HARBOR DAY ONBOARD USS IOWA. RADIOS WILL USE CROSS BAND
SUP04 OPERATION IVO LOS ANGELES HARBOR. NON INTERFERENCE BASIS.
SUP05 STOP BUZZER POC DOUG DOWDS 424-536-3570, 310-977-0822.

Government Master File (GMF) Info (2)

SER01 NSW 238002
LSN01 N 056398
TYP01 N
CLA01 U
FOI01 X
ACN01 JDH
EXD01 231209
BUR01 USN
MFI01 DOMESTIC SUPPORT OPERATIONS
IFI01 COMMUNITY ASSISTANCE
NTS01 C002
NTS02 P032
FRQ01 K18162.5
STC01 MS
EMS01 3K00J3E
PWR01 W500
STC02 MS
EMS02 100H00A1A
PWR02 W100
TME01 3HX
XSC01 CA
XAL01 LOS ANGELES
XLA01 334419N
XLG01 1181623W
XRD01 20B
XAG01 5
XAT01 WHIP
XAZ01 ND
XAP01 V
XEQ01 C,ICOMIC7300
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RSC01 CA
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SUP05 STOP BUZZER POC DOUG DOWDS 424-536-3570, 310-977-0822.

Government Master File (GMF) Info (3)

SER01 NSW 237874
LSN01 MC 153682
TYP01 N
CLA01 U
FOI01 X
ACN01 JDH
EXD01 231209
BUR01 USN
MFI01 DOMESTIC SUPPORT OPERATIONS
IFI01 COMMUNITY ASSISTANCE
NTS01 C002
NTS02 P032
FRQ01 K21856
STC01 MS
EMS01 3K00J3E
PWR01 W500
STC02 MS
EMS02 100H00A1A
PWR02 W100
TME01 3HX
XSC01 CA
XAL01 LOS ANGELES
XLA01 334419N
XLG01 1181623W
XRD01 20B
XAG01 5
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XEQ01 C,ICOMIC7300
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